

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

ANTHONY WAYNE CORPORATION,	)	CAUSE NO. 3:13-CV-1406
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ELCO INDUSTRIES, INC., ELCO TEXTRON,	)	
INC. F/K/A ELCO INDUSTRIES,	)	
TINNERMAN PALNUT, INC., and	)	
A. RAYMOND TINNERMAN	)	
MANUFACTURING, INC.	)	
	)	
Defendants.	)	

**DEFENDANTS ELCO INDUSTRIES, INC.’S AND ELCO TEXTRON, INC.’S  
MOTION TO DISMISS PLAINTIFF’S AMENDED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Elco Industries, Inc. and Elco Textron, Inc. (collectively “Elco Industries”) move to dismiss all of Plaintiff Anthony Wayne Corporation’s Amended Complaint because it fails to state a claim upon which relief can be granted. Elco Industries has filed simultaneously with this Motion a *Memorandum in Support of Defendants Elco Industries, Inc.’s and Elco Textron, Inc.’s Motion to Dismiss*.

WHEREFORE, Elco Industries requests that the Court dismiss Plaintiff’s Amended Complaint in its entirety under Federal Rule of Civil Procedure 12(b)(6), and for all other appropriate relief.

Respectfully submitted,

s/ Frank J. Deveau

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*Attorneys for Defendant Elco Textron, Inc.  
and Defendant Elco Industries, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 8, 2014, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which sent notification of such filing to all counsel of record.

s/ Frank J. Deveau

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